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EXHIBITS

| <u>Doc. No.</u> | <u>Def. No.</u> | <u>Pros. No.</u> | <u>Description</u> | <u>For Ident.</u> | <u>In Evidence</u> |
|---------------------|---------------------|----------------------|---|-----------------------|------------------------|
| 626A-2 | 2347 | | Extract from Interrogation of TOJO, Hideki dated 1 February 1946 (p.5) | | 17869 |
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1 Thursday, 6 March 1947

2 - - -

3
4 INTERNATIONAL MILITARY TRIBUNAL
5 FOR THE FAR EAST
6 Court House of the Tribunal
7 War Ministry Building
8 Tokyo, Japan

9 The Tribunal met, pursuant to adjournment,
10 at 0930.

11 - - -

12 Appearances:

13 For the Tribunal, same as before with the
14 exception of: HONORABLE JUSTICE DELFIN JARANILLA,
15 Member from the Commonwealth of the Philippines,
16 now sitting.

17 For the Prosecution Section, same as before.

18 For the Defense Section, same as before
19 with the exception that: FUJISAWA, Chikao is with-
20 drawn as Japanese counsel for the Accused SATO,
21 Kenryo, effective 28 February 1947; and with the
22 addition of: MR. SAMUEL A. ROBERTS, ESQ., American
23 counsel for the Accused OKA, Takasumi; and MR.
24 SAKUMA, Japanese counsel for the Accused SHIRATORI,
25 Toshio.

(English to Japanese and Japanese
to English interpretation was made by the
Language Section, INTFE.)

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1 MARSHAL OF THE COURT: The International
2 Military Tribunal for the Far East is now in session.

3 THE PRESIDENT: All the accused are present
4 except OKAWA and KAYA, who are represented by their
5 respective counsel. I have received no explanation
6 of the absence of KAYA.

7 We will proceed with the trial. He is
8 represented by counsel.

9 Major Moore.

10 LANGUAGE ARBITER (Major Moore): Mr. President,
11 if the Tribunal please, the following translations
12 were referred to the Arbitration Board:

13 The words "at last" in exhibit No. 1239,
14 record page 16,193, and exhibit No. 1210, record
15 page 10,523.

16 It is recommended that the above translations
17 be approved without translator's note.

18 THE PRESIDENT: The suggestion will be adopted.

19 I have here a certificate from the superin-
20 tendent of the Sugamo Prison certifying that the
21 accused KAYA is ill and unable to attend the trial
22 today.

23 The certificate will be recorded and filed.
24 Mr. Tavenner.
25

MITARAI

CROSS

1 T A T S U O M I T A R A I, called as a witness
2 on behalf of the defense, resumed the stand
3 and testified through Japanese interpreters
4 as follows:

CROSS-EXAMINATION

6 BY MR. TAVENNER (Continued):

7 Q Mr. MITARAI, my last question to you yes-
8 terday was as follows: "Your only testimony then as
9 to the cause of the fall of the HIRANUMA Cabinet was
10 the official statement made by the HIRANUMA Cabinet
11 at the time of its resignation; is that correct?"

12 A It is doubtful whether that was the only
13 basis. However, we might say that it was the most
14 important reason. In order to arrive at the correct
15 conclusion, it is necessary that we investigate the
16 matter from all angles.

17 THE MONITOR: And I did so, based on this
18 official statement of the HIRANUMA resignation.

19 Q In other words, your reply now is just the
20 same as it was yesterday, which I will read to you:

21 "Yes. I testified on the basis of that state-
22 ment."

23 A That is so.

24 Q Is the same thing true with regard to the
25 testimony regarding the fall of the YONAI Cabinet?

MITARAI

CROSS

1 That is, did you base your testimony on the official
2 statement made by the YONAI Cabinet at the time of
3 its fall?

4 A That is so.

5 Q Is the same thing likewise true as to your
6 testimony regarding the fall of the third KONOYE
7 Cabinet? That is, did you base your testimony on
8 the official statement made by the KONOYE Cabinet at
9 the time of its fall?

10 A It is as you say.

11 MR. TAVENNER: In view of those statements,
12 I do not desire to cross-examine further with regard
13 to those cabinets. This concludes the prosecution's
14 cross-examination.

15 THE PRESIDENT: Is there any re-examination?

16 Mr. OKAMOTO.

17 MR. S. OKAMOTO: I have a few short questions
18 on redirect.

19 REDIRECT EXAMINATION

20 BY MR. S. OKAMOTO:

21 Q In his cross-examination, Prosecutor Tavenner
22 referred to the statement by Vice-Minister of War
23 UMEZU, exhibit 2208-L. May I inquire if that document
24 is here and in your hand; if you have seen that
25 document, Mr. Witness? This is the document that the

MITARAI

REDIRECT

1 witness referred to in his answer when he said he
2 would like to see the original document.

3 THE PRESIDENT: It is in court. Please
4 hand it to him. At least, it was in court yesterday
5 afternoon.

6 Continue with some other re-examination if
7 you have any.

8 MR. S. OKAMOTO: Thank you, your Honor.

9 (Whereupon, a document was handed to
10 the witness.)

11 Q Did you understand?

12 A By that do you mean the rightist activity
13 concerning the coup d'etat which is mentioned in
14 Vice War Minister UMEZU's statement?

15 THE MONITOR: Correction: Do you mean this
16 article which is entitled "The Statement of Vice-
17 Minister of War UMEZU," dated 27th of January --
18 afternoon of the 27th of January, on page 91 of the
19 book entitled "The Right Activity of the Rightist
20 Group Around the Political Changes in Japan"?

21 THE PRESIDENT: It is taken from "Details
22 Regarding Movements of Rightist Parties in Connection
23 with Change of Government, Police Section, Police
24 Bureau, Home Ministry," entitled "Views Expressed by
25 Army Authorities."

MITARAI

REDIRECT

1 A I understand. Pardon me for putting it this
2 way, but I think that this document is nonsensical.
3 It can be seen at a glance that this is a report made
4 by a petty police officer of the Metropolitan Police
5 Board or higher police -- of the thought control
6 police.
7

8 THE MONITOR: And to think that the prosecutor
9 should ask me questions on this document believing
10 this to be the authoritative document; I must say
11 that this document is pure nonsense.

12 THE PRESIDENT: Why petty officer?

13 THE MONITOR: Mr. President, the translation
14 was not petty officer. It is the officer of the
15 thought control department of the Metropolitan Police
16 Board or Police Bureau.

17 THE PRESIDENT: Petty officer was used.

18 THE MONITOR: Sir, I corrected it.

19 THE PRESIDENT: By the translator, at all
20 events.

21 THE MONITOR: That was a mistake, sir. Not
22 petty officer.

MITARAI

REDIRECT

1 A (Continuing) Yesterday the prosecutor asked
2 me whether I knew whether it was published as a state-
3 ment of Vice-Minister of War UMEZU, and I answered that
4 such a thing could not be. Even though it may have
5 appeared as a statement from the Vice-Minister of War
6 UMEZU, it comes to the fact that it was only a per-
7 sonal conversation, a private statement based on the
8 report of a police officer.

9 THE MONITOR: Slight correction: As I sup-
10 posed, this is a collection of the result of the
11 investigation made by a police -- criminal policeman,
12 and even if Vice-Minister of War UMEZU did make this
13 statement, this was made to this policeman in a pri-
14 vate capacity, and, in other words, a private conver-
15 sation between UMEZU and this policeman, not a public
16 statement.

17 A (Continuing) Therefore, we cannot say that
18 it had any political significance.

19 Q What is the purpose of putting out such
20 information?

21 A It was due to a very long practice, the prac-
22 tice being that the Home Minister would call for infor-
23 mation from the police bureau. Then, the police bureau
24 would in turn obtain information from the higher police,
25 and then from the special higher police section of the

MITARAI

REDIRECT

1 Metropolitan Police Board and of the other police
2 stations throughout the country. Consequently, it is
3 not a thing which is made public.

4 Q Was it easy for a criminal investigation of-
5 ficer to meet with the War Vice-Minister and to talk
6 with him?

7 A We can't say that such a thing was impossible.
8 However, in view of the fact that the Vice-Minister
9 of War was very much occupied, it is possible that
10 such a thing could not happen. It is difficult to
11 believe that such a thing, such an event could happen.

12 THE MONITOR: Correction: That a Vice-Minister
13 of War should speak to a mere investigator.

14 Q Are these criminal investigators -- I ask
15 this for the assistance of the Tribunal -- but were
16 these criminal investigators of low rank?

17 A As government officials they belong to the
18 lowest category.

19 Q Do these criminal investigators assemble
20 information and publish it in the form of a statement?

21 A I was never a government official and I do
22 not know exactly, and I did not see all documents of
23 such nature. However, I have seen numerous documents
24 during my public service, and in view of my profession,
25 I have seen very many documents of such nature. Among

MITARAI

REDIRECT

1 these documents I have seen statements drawn up
2 through conversation--

3 Correction: Some that were in the form of
4 statement and some that were in the form of personal
5 observations.

6 THE MONITOR: Of the investigator.

7 MR. S. OKAMOTO: Thank you, sir.

8 MR. LOGAN: If the Tribunal please, I wish
9 to ask a few questions on behalf of the defendant
10 Marquis KIDO.

11 THE PRESIDENT: Well, we have not decided
12 about this matter yet, Mr. Logan. If we permit this
13 it will be without prejudice to any future course we
14 may take. What are you claiming to do, re-examine or
15 cross-examine, Mr. Logan? Marquis KIDO's Diary was
16 referred to.

17 MR. LOGAN: That is the only thing I am
18 going to speak about, your Honor.

19 THE PRESIDENT: Without prejudice to future
20 action by the Tribunal you may ask these questions.

21 EXAMINATION

22 BY MR. LOGAN (on behalf of Marquis KIDO):

23 Q In your profession did you make it a practice
24 of endeavoring to get the best possible information
25 from the persons concerned with the events to which

MITARAI

EXAMINATION

1 you have testified?

2 THE PRESIDENT: Mr. Tavenner.

3 MR. TAVENNER: Your Honor, I submit that that
4 is not a proper line of cross-examination at this stage.
5 That was a matter of direct examination. It was gone
6 into by the first attorney who examined.

7 THE PRESIDENT: I don't recollect that ques-
8 tion being asked. We can give permission for this
9 further re-examination, and we give it.

10 MR. LOSAN: Thank you.

11 THE PRESIDENT: It is entirely a matter for
12 the discretion of the Tribunal in the circumstances,
13 and we exercise it in favor of the counsel for KIDO.

14 Answer the question, Witness.

15 A I did try to collect information from the
16 best possible sources, first from those directly
17 concerned with the incident, and then even from those
18 who were indirectly concerned -- and secondly, from
19 those who were affected by such incidents even if they
20 were not directly concerned.
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EXAMINATION

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1 Q And yesterday, when the prosecution asked
2 you this question, "Let me read you what Mr. KIDO,
3 in his diary item of November 17, 1931, says on
4 that subject," and then the prosecution read an ex-
5 cerpt wherein it is stated among other things that
6 "ADACHI has the confidence of a group of army men,
7 and has been in constant contact with the army,"
8 and then followed another sentence, were you
9 under the impression when you answered that ques-
10 tion that that was a statement by Marquis KIDO?

11 A I can't form any judgment on that.

12 Q Did you believe from what the prosecution
13 said that that was a statement which Marquis KIDO
14 himself made?

15 A In view of the fact that the Marquis
16 himself wrote in this diary I should think that
17 it was so.

18 Q Would your answer have been different if you
19 knew that in that diary entry Marquis KIDO was merely
20 reporting a conversation as related to him by HARADA
21 which occurred between two business men by the names
22 of IKEDA and KODAMA?

23 THE PRESIDENT: I do not recollect Mr. Tavenner
24 bringing that out. He may have done so; I do not
25 recollect it.

MITARAI

EXAMINATION

1 MR. LOGAN: All he said was: "Let me read
2 you what Mr. KIDO says on that subject." He didn't
3 bring out it was a report of a conversation.

4 THE WITNESS: If such a thing as the defense
5 counsel now said did take place my answer would have
6 been different, of course.

7 Q And during the cross-examination with respect
8 to the WAKATSUKI Cabinet you recall yesterday that
9 the prosecution laid importance on the fact that you
10 left the Manchurian Incident to the last of the
11 reasons. Do you recall that?

12 A That I recall.

13 Q Then the prosecution didn't call to your
14 attention the fact that as recorded in KIDO's Diary
15 on this date, November 17, 1931, this statement with
16 respect to ADACHI was listed as **three** among eight
17 different events recorded in the diary for that day?

18 A I don't think that the prosecutor asked such
19 question.

20 Q He didn't call it to your attention, did he?

21 A I did not receive such reminder.

22 Q And the prosecution also did not bring to
23 your attention the fact that the first of these items
24 which Marquis KIDO stated in his diary as reported to
25 him of this conversation between IKEDA and KODAMA

MITARAI

EXAMINATION

1 ~~related~~ primarily and to a good extent on the entire
2 gold export situation as existed at that time?

3 A Nothing whatsoever was mentioned on that
4 point. However, I have made the following clear. I
5 have tried to stress that point. At that time I
6 heard the matter in detail from ADACHI, the then Home
7 Minister. That is why I made such a statement. But
8 the prosecutor then said to me that "You say such a
9 thing because you look lightly upon the Manchurian
10 Incident."

11 Q And he also did not read that statement to
12 you which is as follows, according to the translation
13 submitted by the prosecution: "It has been reported
14 recently -- it might be rumor -- that an embargo
15 on gold export has been levied in England for the
16 second time and that the business cycle has turned for
17 the worse in the United States of America."

18 THE MONITOR: Mr. Logan, do you have a
19 Japanese copy of it? We had rather get it directly
20 from the document instead of the translation of it.
21 There may be a little discrepancy in that.

22 MR. LOGAN: No, I don't.

23 THE MONITOR: We will just give the general
24 meaning of it. We will not be able to quote word for
25 word. All right, thank you.

MITARAI

EXAMINATION

1 THE PRESIDENT: If I appreciate the position
2 rightly, you are going beyond re-examination now,
3 Mr. Logan.

4 MR. LOGAN: Well apparently, your Honor,
5 emphasis was laid yesterday by the prosecution on
6 the order in which this witness testified as to the
7 various events which were happening at the time of
8 the fall of the WAKATSUKI Cabinet. Here is a report
9 which sets them out differently, and the most impor-
10 tant thing apparently, from the order in which they
11 are listed, is this conversation between two private
12 individuals as to what was happening, what people
13 were thinking at that time, and this entry is con-
14 tained in this excerpt that they have marked for
15 identification. However, in order to save time, I
16 will withdraw the question.

17 Q In 1931 -- at the time this diary entry was
18 read -- you know that Marquis KIDO was only chief
19 secretary to the Lord Keeper of the Privy Seal, do you
20 not?

21 A I understood that it was so.

22 MR. LOGAN: Thank you.
23
24
25

MITARAI

REDIRECT

1 MR. BROOKS: Mr. President.

2 THE PRESIDENT: Captain Brooks.

3 MR. BROOKS: I wish to re-examine on behalf
4 of General MINAMI as to the matter of the political
5 views expressed by the War Minister as brought out
6 by the prosecution on cross-examination.

7 THE PRESIDENT: We allow it with the same
8 intimation as we gave to Mr. Logan.

9 REDIRECT EXAMINATION

10 BY MR. BROOKS:

11 Q In yesterday's cross-examination on page
12 17,827 of the record, in discussing the HIROTA cabinet,
13 the prosecutor asked if the War Minister did not
14 express certain political views of the army. I
15 believe, Mr. Witness, that the prosecutor asked you
16 if the War Minister didn't frequently express the
17 political views of the army and your answer was "Yes."
18 Will you explain that further, what political views
19 were expressed?

20 A If I did make -- if I did answer in the way
21 that you said now, I think my answer needed more
22 amplification. The War Minister is the administrative
23 chief of the war department, therefore, he is responsible
24 for the administration of the war ministry -- of the
25 army. Consequently if the War Minister was expressing

MITARAI

REDIRECT

1 political views in general as you say, then he
2 would have to do so in the capacity of a minister
3 of state.

4 THE MONITOR: He would be doing it in the
5 capacity of a minister of state.

6 It is believable -- it is only natural
7 that in expressing the political views, reports
8 gathered concerning the army would be included there-
9 in.

10 THE MONITOR: It is natural that in that
11 political expression the War Ministers make, various
12 reports collected within the army be included in that
13 statement.

14 Q Do you have anything further to add? Now,
15 going back to the time of the WAKATSUKI cabinet when
16 the defendant MINAMI was War Minister, do you recall
17 any political views that were expressed by MINAMI as
18 War Minister as being army views?

19 A I do not remember many of them; however, I
20 do recall one or two.

21 THE MONITOR: I do not remember many of them.
22 I do not believe there were many of them but I do
23 remember one or two.

24 They concerned statement on policies in
25 general -- on general state affairs and then on army

MITARAI

REDIRECT

1 affairs. There was one in particular on affairs
2 inside the army which I now recall. I think it was
3 sometime about August 1931 when at a conference of
4 division chiefs, division commanders, it was pointed
5 out that conditions in Mongolia and Manchuria were
6 becoming extremely bad, in view of the activities
7 of Chang Tso-lin, that the operation of the Chang
8 Tso-lin regime against Japanese interests was in-
9 creasing and that the situation was becoming very
10 aggravated. Therefore, in order to protect our
11 legitimate interests it was decided that due prepar-
12 ations be made -- therefore, General MINAMI continued
13 that in order -- that the army should always be on
14 the watch so that if any action should be necessary
15 in order to protect our legitimate interests such
16 action could be taken.

17 MR. TAVENNER: Your Honor--

18 THE PRESIDENT: Mr. Tavenner.

19 MR. TAVENNER: We submit that the answer and
20 the line of cross-examination goes beyond that con-
21 templated by the Tribunal's ruling.

22 MR. BROOKS: I agree, your Honor; I am
23 going into a different point.

24 Q To refresh your memory on the point that I
25 have in mind I will read from WAKATSUKI's cross-

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REDIRECT

1 examination a statement which embodies that read by
2 the prosecution to you the other day. On page 1571,
3 lines 8 - 25, the question is asked as to the policy
4 of WAKATSUKI's cabinet and he states: "My cabinet
5 had unanimously opposed any expansion by the army on
6 the Manchurian question." Now, Mr. Witness, General
7 MINAMI as War Minister in that cabinet, as is shown
8 further along, was one of those who was unanimous
9 in backing up this cabinet policy. Was that support
10 given to the WAKATSUKI cabinet for the non-expansion
11 of the Manchurian Incident an expression of his
12 personal view or was that what you meant by political
13 view of the army?

14 THE PRESIDENT: Mr. Tavenner.

15 MR. TAVENNER: I object to the question on
16 the ground that it is argumentative, that it calls
17 for an opinion and conclusion, and that it goes beyond
18 the sphere of cross-examination. That is a matter
19 certainly that should have been handled in direct
20 examination.

21 THE PRESIDENT: All he can be asked is,
22 "Did the individual say he was expressing his personal
23 view or that of the army?" This man cannot decide
24 which although he purported to do so in respect to
25 others. The prosecution, by the way, brought out his

MITARAI

REDIRECT

1 opinions -- perhaps to test his credit, but they
2 did bring them out.

3 MR. BROOKS: The WAKATSUKI cabinet was
4 discussed by the prosecution on cross-examination
5 for the first time; that is why I have never asked
6 anything on it before in relation to the point that
7 I am now entering into.

8 THE WITNESS: May I reply?

9 THE PRESIDENT: You are not to express an
10 opinion as to whether the Japanese Premier was
11 speaking merely on his own account or for the army.
12 You would not know unless he said so. Did he say so --
13 the Japanese War Minister?

14 A I did not hear that directly from anyone.

15 Q Now, referring to page 1574, lines 5 - 22
16 of WAKATSUKI's cross-examination, he discusses the
17 responsibility for the operations in Manchuria and
18 the responsibility therefor; and in discussing this
19 matter on line 11, in answer to who was responsible,
20 he said, "I suppose there is some military man
21 responsible for these activities." Then on the
22 next line: "Q. When you say army, does that include
23 War Minister MINAMI?" and his answer follows that.

24 Now, Mr. Witness, is a war minister really
25 considered a part of the army in that sense of military
operations?

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1 THE PRESIDENT: That is beyond the scope
2 of the examination in chief. He was not called to
3 testify on the constitutional position. However,
4 the prosecution have not objected, and he may answer.

5 A As I stated yesterday concerning the activi-
6 ties of the Army which is outside Japan proper,
7 everything will be controlled by the General Staff
8 and therefore naturally the General Staff must bear
9 the responsibility for any such actions.

10 BY MR. BROOKS:

11 Q Now, Mr. Witness, on strategical matters
12 of that type the Army spokesman would not be the
13 War Minister, is that correct?

14 A That is so.

15 MR. BROOKS: Coming to page 1580 of
16 WAKATSUKI's cross-examination, the Court's attention
17 is directed from line 9 of page 1580 to line 14 on
18 page 1582, wherein --

19 THE PRESIDENT: This is not re-examine-
20 tion. We all think that.

21 MR. BROOKS: I am going to discuss the
22 coalition cabinet now, your Honor.

23 THE PRESIDENT: his opinions will have no
24 influence with us. We have heard all we want to
25 hear of his opinions.

MITARAI

1 MR. BROOKS. On these pages, if the Court
2 please, WAKATSUKI says that Home Minister ADACHI
3 approached him for this SEIYUKAI Party on a coal-
4 tion cabinet, and that is what I wanted to inquire
5 of the witness, as to ADACHI's dispute with WAKATSUKI
6 over this matter.

7 THE PRESIDENT. You can bring it out in
8 evidence bearing on matters raised by the cross-
9 examination and, with permission, anything that
10 might have been brought out in examination in chief,
11 but no more. We dislike taking the initiative and
12 rejecting evidence, but our duty is to conduct an
13 expeditious trial as well as a fair one.

14 MR. BROOKS. The prosecution on its cross-
15 examination went into the direct testimony of
16 WAKATSUKI, and I am showing on cross-examination
17 what was brought out that shows it was not the Man-
18 churian Incident that caused the collapse, but I am
19 starting now with the coalition cabinet where he
20 discusses the arguments he had with ADACHI, the Home
21 Minister, which confirms the witness' statements,
22 and there are two or three points I wanted to get
23 clear before the Court.

24 THE PRESIDENT: Mr. Tavenner.

25 MR. TAVENNER: I desire to make the objec-

MITARAI

1 tion that this witness has not shown any knowledge
2 of the condition or situation to which counsel re-
3 fers. We think this is in the nature of a direct
4 examination, and it is certainly not proper to use
5 the cross-examination of the witness WAKATSUKI
6 in endeavoring to parade his testimony before the
7 Court.

8 MR. BROOKS: I think the record, your
9 Honor, of the prosecutor's cross-examination is well
10 enough in your Honor's mind to answer the prosecutor
11 on that. I have nothing further.

12 THE PRESIDENT: Did I understand you to say
13 you were going to ask the witness to tell us what
14 ADACHI told him about a matter raised in cross-
15 examination?

16 MR. BROOKS: I was going to call to the wit-
17 ness' attention where WAKATSUKI had asked the Home
18 Minister ADACHI to stop his negotiations with the
19 SEIYUKAI Party and set up this coalition cabinet,
20 which was the beginning of their dispute, and ask
21 the witness what knowledge he had of that. The wit-
22 ness had testified on direct examination that the
23 quarrel between WAKATSUKI and the Home Minister
24 ADACHI was the primary reason for the fall of the
25

MITARAI

1 WAKATSUKI Cabinet.

2 THE PRESIDENT: What was said in cross-
3 examination about that? That was to you, Captain
4 Brooks.

5 MR. BROOKS: The prosecutor in discussing
6 with the witness on cross-examination the seven
7 or eight items he had listed made reference to the
8 fact that the Manchurian Incident was mentioned at
9 the end of all and was of minor importance, and
10 then the prosecution read WAKATSUKI's direct ex-
11 amination to show what he thought, that it should
12 be the first and only reason, I suppose. I am try-
13 ing to show that that was not from WAKATSUKI's cross-
14 examination, that wasn't true.

15 THE PRESIDENT: As a colleague reminds
16 me, that is not really examination but comment.

17 The objection is allowed.

18 MR. BROOKS: I would like to call the
19 Court's attention, then, to page 1583, line 14,
20 page 1584. Here the question was asked:

21 "Mr. Witness, is it not true that the
22 collapse of your cabinet was caused, not by any
23 actions on the part of the War Minister MINAMI
24 but by the actions of the Home Minister ADACHI?"
25 and the answer was: "The direct cause of the fall

MITARAI

1 of the cabinet is as you have said."

2 Q Do you agree with this?

3 MR. TAVENNER: Your Honor, I take the
4 position that the reading to the witness of this
5 matter is covered by your Honor's former ruling,
6 and we desire to object to the reading of the
7 record on redirect examination in this manner.

8 THE PRESIDENT: Objection upheld.

9 MR. BROOKS: If the Court please, on page
10 1582 there is a discussion of how many times he had
11 telephoned and sent messengers trying to get Home
12 Minister ADACHI to attend the meeting. Since the
13 prosecution has brought in WAKATSUKI's statement on
14 direct examination -- no, on direct examination of
15 WAKATSUKI where they discussed the Manchurian Inci-
16 dent, I thought it was only fair and proper to
17 show that on cross-examination WAKATSUKI also dis-
18 cussed those matters of which the witness has testi-
19 fied as being the most important, and confirms ex-
20 actly what the witness says.

21 THE PRESIDENT: If that confirms what the
22 witness has said, there is no need to get the wit-
23 ness' imprimatur. It is only wasting time. It is
24 a matter of comment.
25

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1 MR. BROOKS: If your Honor please, I will
2 not ask any further questions at this time, but I
3 do --

4 THE PRESIDENT: We will recess now for
5 fifteen minutes.

6 (Whereupon, at 1047, a recess was
7 taken until 1100 hours.)
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1 MARSHAL OF THE COURT: The International
2 Military Tribunal for the Far East is now resumed.

3 THE PRESIDENT: Captain Brooks.

4 MR. BROOKS: Mr. President, I completed my
5 redirect examination of the witness but I wish to
6 reserve the right to recall this witness for use in
7 the individual phase on behalf of the defendant
8 MINAMI.

9 MR. TAVENNER: I would like to inquire if
10 there is any further examination to be had by counsel
11 for the defendants -- for the accused.

12 THE PRESIDENT: Apparently there isn't.

13 MR. BLEWETT: I see no other attorneys, sir,
14 present for examination.

15 THE PRESIDENT: Have you any?

16 MR. TAVENNER: I would like to ask one or
17 two additional questions of the witness on matters
18 brought out on redirect examination for the first time.

19 RECROSS EXAMINATION

20 BY MR. TAVENNER:

21 Q I understood you to state, Mr. MITARAI, that
22 the reports constituting exhibit 2208 were mere state-
23 ments of police officers. Is that your view?

24 A That is what I think

25 THE PRESIDENT: We don't think you are entitled

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1 to ask that question. The examination would be
2 interminable if that sort of thing were allowed.

3 MR. TAVENNER: It could be, of course, your
4 Honor, but it occurred to me that in as much as this
5 witness has referred to the character of these reports
6 that some information should be brought to the
7 Tribunal's attention regarding their character.

8 THE PRESIDENT: In cross-examination you
9 brought out that report. In re-examination the
10 defense showed that the report was by what they called
11 petty officers or something like petty officers. That
12 doesn't allow you further cross-examination.

13 MR. TAVENNER: We have no further questions.

14 THE PRESIDENT: The witness is released on
15 the usual terms.

16 (Whereupon, the witness was excused)
17

18 THE PRESIDENT: Mr. Blewett.

19 MR. BLEWETT: If the Court please, we now
20 offer for identification the TOJO interrogatories
21 taken by the prosecution as defense document 626, for
22 the first of February 1946 and the 6th of February
23 1946. I might explain, sir, that when the first
24 interrogatory was offered by the prosecution the
25 President suggested that the parent document be

1 introduced.

2 THE PRESIDENT: Be marked for identification
3 and kept in the custody of the Court.

4 MR. BLEWETT: That is right, sir. That was
5 allotted No. 1110.

6 MR. TAVENNER: If your Honor please, I would
7 like to object to the introduction of this excerpt on
8 the following grounds.

9 THE PRESIDENT: Well, we don't know what it
10 is, Mr. Tavenner. A short statement from Mr. Blewett
11 as to its nature and contents would enable us to follow
12 your objection more clearly.

13 MR. BLEWETT: There are but two short extracts,
14 sir. One relates to the Army's views with reference
15 to cabinet meetings and the other with regard to the
16 Imperial Conferences and the cabinet.

17 MR. TAVENNER: My first objection is that
18 these excerpts do not relate in any manner to excerpts
19 introduced by the prosecution from TOJO's interroga-
20 tions. In other words, it isn't a situation in which
21 the prosecution failed to introduce everything relating
22 to a subject in an interrogation. The second objec-
23 tion is that no part of the interrogation for the days
24 mentioned were used by the prosecution in evidence.
25 In that connection we contend that these statements

1 are not part of a confession and should not be considered
2 in that light for the purpose of introduction here.

3 THE PRESIDENT: Separation in time wouldn't
4 matter because you can have a confession extending
5 over one day, so that second ground must be disregarded.
6 The first ground is that these further answers now
7 tendered by the defense are wholly unrelated to those
8 tendered by the prosecution. That is a substantial
9 grounds.

10 MR. TAVENNER: That is right.

11 THE PRESIDENT: But we must be satisfied that
12 there is that ground. We must look at the answer
13 tendered by the prosecution and look at the one now
14 tendered and see if there is any connection. If
15 there is none then this evidence must be give in some
16 other way.

17 MR. TAVENNER: I would like to add in that
18 connection that we have had the record examined for
19 that purpose and I am informed by those who examined
20 it that these matters do not relate to anything
21 introduced in evidence from the interrogation of TOJO.

22 MR. BLEWETT: Sir, it is my recollection
23 that according to the Charter any statement made by
24 any one of the accused is admissible.

25 THE PRESIDENT: There is a technical rule,

1 I am reminded of it, that statements made by an
2 accused in his own favor are not admissible. There
3 may be a division of opinion among us as to whether
4 that technical rule should or should not be followed.
5 But it won't be very difficult, I suggest, for you
6 to show that after all this answer you are tendering
7 now has some relation to those tendered by the prose-
8 cution, judging from my first glance at what you
9 propose to tender. Now, to what particular answer
10 tendered by the prosecution do you say it is relevant?

11 MR. BLEWETT: 626 A-2, your Honor, I think
12 it is a specific answer to the prosecution's allegation
13 that the Army's views were pressed upon the cabinet.

14 THE PRESIDENT: The Court, by a majority,
15 has decided to admit that evidence. It is admitted
16 on the usual terms.
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1 MR. BLEWETT: I offer in evidence defense docu-
2 ment No. 626A-2.

3 CLERK OF THE COURT: Defense document No.
4 626A-2 will receive exhibit No. 2347.

5 (Whereupon, the document above re-
6 ferred to was marked defense exhibit No. 2347
7 and received in evidence.)

8 MR. BLEWETT: I shall read exhibit No. 2347:
9 "Extract from Interrogation of Hideki TOJO,
10 1 February 1946, page 5.

11 "Q Did you urge the Army's views on the
12 cabinet?

13 "A The cabinet meetings were the scene of
14 a great deal of heated discussion relative to the signing
15 of the Three-Power Pact; however, I do not recall that
16 there was very much urging of the Army's views in the
17 cabinet meetings themselves. However, the Chief of
18 Staff of course kept the Foreign Minister and Premier
19 similarly informed. At that time Prince KAN-IN was
20 Chief of Staff. Matters of secondary importance were
21 transmitted by the Assistant Chief of Staff to the Foreign
22 Minister or to the Assistant Foreign Minister."

23 "We offer in evidence, if the Tribunal please,
24 defense document 626A-5, an extract from the TOJO
25 Interrogation of 6 February 1946.

THE PRESIDENT: Admitted on the usual terms.

CLERK OF THE COURT: Defense document No. 626A-5 will receive exhibit No. 2348.

(Whereupon, the document above referred to was marked defense exhibit No. 2348 and received in evidence.)

MR. BLEVETT: I shall read exhibit No. 2348:

"A Yes, Imperial Conferences were held with important Ministers of State, depending on the problem to be discussed. In cases involving the prerogative of military command, the Army and Navy Chiefs of Staff also attended; also the President of the Privy Council.

"Q How often were these held during a year?

"A Some years there were none. On years when important matters had to be decided, sometimes there were two or three.

"Q Was there any provision in the constitution or in the laws authorizing these to be held?

"A No.

"Q Then they were only a matter of custom?

"A Yes, when some important matter had to be decided. The Imperial Conferences, however, had no responsibility as such. Those who attended, the Chiefs of Staff, the Cabinet Minister, President of the Privy Council, each had responsibility in his capacity of

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1 Chief of Staff, Cabinet Member, or President of the
2 Privy Council but not in his capacity as a member of
3 the Imperial Conference.

4 "Q How long had this custom existed?

5 "A For a long time back -- since the Russo-
6 Japanese War, I suppose. It was a gathering of individ-
7 uals holding positions of responsibility to effect an
8 interchange of views.

9 "Q Who called these Imperial Conferences?

10 "A They could be requested of the Emperor
11 by one of the Chiefs of Staff, or by the Prime Minister,
12 or by any other Minister of State if the matter were
13 important enough. The Imperial Conferences theoretically
14 had no presiding officer but in fact the Prime Minister
15 acted as presiding officer. Of course matters were not
16 officially decided here. After discussion they were
17 again brought up at the cabinet meeting where official
18 action was taken. The Emperor, although he attended,
19 did not officially approve or disapprove or order the
20 actions taken."

21 We shall now call as a witness Dr. TAMURA. If
22 the Tribunal please, I have been requested by Japanese
23 counsel to examine this witness.

24 THE PRESIDENT: Does he speak English very
25 well?

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1 MR. BLEWETT: I think the questions should
2 be put in Japanese, sir.

3
4 K O ' S A K U T A M U R A, called as a witness on
5 behalf of the defense, being first duly sworn
6 testified through Japanese interpreters as follows:

7 THE PRESIDENT: What is he to testify to,
8 Mr. Blewett?

9 MR. BLEWETT: This witness, if the Court please,
10 is going to testify on the basic principles underlying
11 the foreign policy of Japan as set out in the various
12 opening statements.

13 DIRECT EXAMINATION

14 BY MR. BLEWETT:

15 Q Where were you born and when?

16 A I was born in Yamaguchi Prefecture in the
17 year 1887.

18 Q What has been your schooling?

19 A I attended the Higher Commercial School of
20 Yamaguchi Prefecture.

21 Q What is your profession?

22 A I entered the Foreign Office in the year 1908
23 and I withdrew from the Foreign Office in the year 1925.

24 Q What has been your experience?

25 A During that period I was stationed in China,

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1 Great Britain and in European countries.

2 Q Have you written and published any books or
3 articles?

4 A I studied the diplomatic history of China. I
5 specialized therein and I wrote three books on this
6 subject. For this I was conferred a Doctor of Law
7 degree by the Imperial University in Tokyo in 1908.
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Q Have you traveled and studied abroad?

A I did not study at any particular school abroad; however, I was stationed in many foreign countries as Consul General.

THE MONITOR: I served in many embassies, legations and consulates.

Q Give us briefly a list of the places where you served and the position held?

A In China I served as Vice-Consul in Antung and Mukden. In Great Britain I served as Secretary of the Embassy in London. Then I was transferred to Czechoslovakia. There I was in charge of a legation for a long time.

Q What years did you serve in the diplomatic or the foreign office?

A From 1908 to 1925.

THE PRESIDENT: Well, he gave us that.

Q Have you written and published a book in the English language?

A Yes, I did publish a book.

Q What is the title of that book?

A "The Genesis of the Pacific War."

Q Have you made a detailed study of the foreign policy of Japan?

A That was my particular field of study.

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1 THE PRESIDENT: Here again we expect facts
2 and not opinions, Mr. Blewett.

3 MR. BLEWETT: I understand, sir.

4 THE PRESIDENT: It invades the province of
5 the Court if he is going to express opinions on such
6 matters as that.

7 BY MR. BLEWETT (Continued):

8 Q Were there any basic principles underlying
9 the foreign policy of Japan since her entry into
10 the family of modern nations?

11 MR. COMYNS CARR: We object to that question,
12 your Honor. The witness has not given evidence of
13 any qualifications which would entitle him to express
14 an opinion on that subject, even if an opinion were
15 admissible, which we submit it is not.

16 THE PRESIDENT: We excluded Mr. Ballantine's
17 opinion; this man is called to testify as to somewhat
18 similar matters, and we excluded him on the application
19 of the defense. If he is merely to state what
20 authoritative declarations have been made on Japanese
21 foreign policy, we will hear them. That does not
22 involve expressing opinions.

23 MR. BLEWETT: We expect to show that, your
24 Honor; in this general phase we hope through these
25 witnesses to lay the groundwork for testimony that

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1 may be referred to later, but we thought that the
2 proper and orderly method to do would be to present
3 it now instead of presenting it in various phases
4 later on or individually.

5 THE PRESIDENT: Examine him to show what
6 information he has about Japanese foreign policy,
7 the sources of that information, but not his con-
8 clusions.

9 MR. BLEWETT: Right, sir.

10 Q Tell us, if you can, briefly the generally
11 accepted concept of equality in Japan?

12 MR. COMYNS CARR: Your Honor, in my sub-
13 mission we cannot have that. If it is accepted
14 by the accused or by some other persons, and if it
15 were material, it would have to be proved by them.
16 To call this witness with his very slender qualifi-
17 cations to answer a question of that kind, in my
18 submission, is not permissible.

19 THE PRESIDENT: What puzzles me is how that
20 concept of equality in Japan can be related to Japan's
21 foreign policy?

22 MR. BLEWETT: I think, sir, that has a very
23 pertinent relationship to the whole Asiatic situation.
24 We might try, sir, and if the witness is going into
25 theories or opinions, why, I shall quickly change and

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1 go to another topic.

2 THE PRESIDENT: Well, we must decide on
3 the objection and the objection is allowed.

4 BY MR. BLEWETT (Continued):

5 Q Do you know, Doctor, of your own knowledge
6 what gave rise to the so-called Gentlemen's Agreement
7 of 1907-8 with the United States?

8 THE PRESIDENT: State the steps that led up
9 to it.

10 A The first reaction to the military success
11 of the Japanese during the Russo-Japanese War in
12 Japan and America appeared in 1905 with the persecution
13 of the Japanese in the State of California.

14 THE MONITOR: Japanese school children.

15 A (Continuing): However, due to the speedy
16 and adequate measures taken by President Roosevelt,
17 this matter was quickly settled. Appreciating the
18 sympathetic attitude of the President, the Japanese --
19 as well as earnest desires -- the Japanese Government
20 decided to take the following two steps. The first
21 of these measures was the Gentlemen's Agreement where-
22 by the Japanese voluntarily restricted emigration to
23 America.
24

25 THE MONITOR: The number of laborers going
to America.

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1 MR. COMYNS CARR: Now it is becoming manifest
2 that the witness is, in my submission, that the
3 witness is contravening the ruling which the Tribunal
4 has given.

5 THE PRESIDENT: Well, he could have made a
6 number of statements of fact. I hate to paraphrase
7 what he said, but he could have said this:

8 After the Russo-Japanese War Californian
9 schools persecuted Japanese children. The President
10 of the United States intervened. The persecution
11 stopped. Japan took certain measures. All are
12 statements of fact but repetitive. We have heard
13 all this before. At least we have heard about the
14 Gentlemen's Agreement.

15 MR. COMYNS CARR: Your Honor, that raises
16 the question whether the facts of which he has been
17 talking are in any way material to his inquiry; and,
18 secondly, whether, if they are, this witness has any
19 qualification at all for proving them.

20 THE PRESIDENT: Some of the events occurred
21 before his time in the Foreign Office, but others
22 fell within his time there. It is difficult to dis-
23 qualify him from stating a series of simple facts.
24 We do not want his opinions.

25 MR. COMYNS CARR: But, your Honor, in my

1 submission, if he was in California, he could tell
2 us about the alleged persecution of school children;
3 but a junior clerk in the Foreign Office has no
4 particular means of knowing those facts.

5 THE PRESIDENT: If the information is rele-
6 vant, I think we must get it from such sources as
7 this. We can hardly go to California for school
8 teachers and others.

9 BY MR. BLUMETT (Continued):

10 Q Were any laws passed by Pacific Coast states
11 affecting Japanese citizens between 1908 and 1920?

12 A Before that, I wish to touch on the second
13 measures adopted by the Japanese. I have only ex-
14 plained what measures were first taken.

15 THE MONITOR: And I believe the second measure
16 is also relevant to this inquiry.

17 MR. COMYNS CARR: Your Honor, in my sub-
18 mission, if it is material to know about laws passed
19 in California in 1907, the laws must be produced and
20 the document must be served upon us in the ordinary
21 way, and this witness' evidence would then become
22 unnecessary.

23 THE PRESIDENT: Well, the charter admits of
24 a more reasonable attitude than that.

25 A (Continuing): The second measure was in

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1 response to the attitude of the President, namely,
2 the Japanese restricted the number of Japanese
3 labor emigrants to the United States and these
4 emigrants were sent to Korea and Manchuria instead.
5 That is to say, I wish to point out that there is
6 a very close relation between the Japanese going to
7 the Asiatic continent and the emigration -- the
8 problem of emigration to the United States.

9 THE PRESIDENT: He is expressing opinions
10 now. All we will permit him to say -- give us is
11 a chronological order of events.

12 THE MONITOR: Before that the witness stated:
13 "My impression was that I was giving an interpretation."

14 BY MR. BLEWETT (Continued):

15 Q Did the Immigration Act of the United States
16 in 1924 affect in any way the economic institutions
17 of Japan?

18 THE PRESIDENT: We cannot allow you to go
19 any further in this matter than we allowed Mr. Liebert
20 to go. You have every liberty the prosecution had.

21 BY MR. BLEWETT (Continued):

22 Q Can you tell us --

23 THE PRESIDENT: I don't know that he is as
24 qualified as Mr. Liebert. He does not profess to
25 have any qualifications as an economist. Mr. Liebert

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1 had. This is a province of a professor of economics
2 or somebody like that.

3 Q What was meant by security in Japan?

4 THE PRESIDENT: These are opinions, Mr.
5 Blewett.

6 MR. BLEWETT: This man, sir, has made a
7 study of the internal affairs of Japan in connection
8 with foreign relations, and it would seem to us that
9 it would be helpful to show the general situation
10 at that period of time around between 1910 and 1925.

11 Q Was the question of restriction of immi-
12 gration discussed at the Foreign Office and did
13 you participate in any of these discussions?

14 THE PRESIDENT: We did allow Mr. Ballantine
15 to give conversations at the Foreign Office.

16 A I did not participate in any such conferences.

17 Q What has been the source of your information
18 with respect to the foreign affairs of Japan?

19 A I was merely a student of history.

20 THE MONITOR: Not "merely."

21 A I am a student of history and I made my study
22 through diplomatic documents and other material which
23 historians usually use for that purpose. I, myself,
24 did not participate in such conferences.

25 Q From whence did you derive your material and

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1 what study and investigation did you make in compiling
2 your book entitled "The Genesis of the Pacific War"?

3 A For the most part I gathered my material
4 from diplomatic documents published in the United
5 States of America and material gathered by American
6 scholars to which I could not directly have access.

7 THE MONITOR: In regard to documents to which
8 I had no direct access.

9 Q Do you know whether or not the Shimonoseki
10 Treaty affected in any way the Japanese position as
11 to the question of security?

12 MR. COMYNE CARR: Your Honor, in my submission,
13 it is manifest from his previous answers that he
14 knows nothing about it except from studying documents
15 which, if they are of any materiality, should be
16 produced.

17 THE PRESIDENT: And the answer would involve
18 an opinion. The objection is allowed.

19 We will adjourn until half-past one.

20 (Whereupon, at 1200, a recess was taken.)
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AFTERNOON SESSION

The Tribunal met, pursuant to recess, at 1330.

MARSHAL OF THE COURT: The International
Military Tribunal for the Far East is now resumed.

K O S A K U T A M U R A, a witness called in behalf
of the defense, resumed the stand, and testified
through Japanese interpreters as follows:

THE PRESIDENT: Mr. Blewett.

MR. BLEWETT: If the Court please, I recall
that this morning I made an offer of a document for
identification only, being No. 626, which is the parent
document, sir, including all the interrogatories of
General TOJO. Perhaps, sir, I should limit these to
the two days from which I quoted -- although we may
quote hereafter from the document; and it shall all be
numbered 626 for the series.

When the prosecution introduced their extracts
they did not follow the usual identification number,
but were given separate numbers. So perhaps, sir,
it might be advisable to offer each separate day for
identification and the excerpts from that which have
already been marked.

THE PRESIDENT: Perhaps it would. It would
be more convenient I think.

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1 MR. BLEWETT: Then I shall offer for identi-
2 fication the interrogatory of 1 February 1946.

3 CLERK OF THE COURT: The interrogatory for
4 1 February 1946 of Hideki TOJO from document 626
5 will be given exhibit No. 2349 for identification
6 only.

7 (Whereupon, the document above re-
8 ferred to was marked defense document No.
9 2349 for identification.)

10 MR. BLEWETT: We offer for identification
11 only document 626, an extract from the interrogation
12 of 6 February 1946..

13 CLERK OF THE COURT: The interrogation for
14 6 February 1946 will be given exhibit No. 2350 for
15 identification only.

16 (Whereupon, the document above re-
17 ferred to was marked defense exhibit No. 2350
18 for identification.)

19 DIRECT EXAMINATION

20 BY MR. BLEWETT (Continued):

21 Q Doctor, what other study or investigation
22 did you make in the compiling of this book?

23 A The study of the diplomatic history of the
24 Far East has been my lifelong work, and I have been
25 collecting materials for this work for the past

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1 twenty years.

2 Q What work are you now engaged in?

3 A I am continuing my study of history with the
4 intention of remaining an historian for the rest of
5 my life.

6 Q How many years altogether have you been
7 engaged in this special work?

8 A Since 1925 when I left the Foreign Office I
9 have devoted myself heart and soul to this work.

10 MR. BLEWETT: If your Honor please, I think
11 there is some misapprehension which no doubt may be
12 my fault or the witness' in our qualifications. It
13 was not my intent to indicate that the witness was an
14 expert or had any wide knowledge of the Foreign Office
15 or foreign affairs as such. My purpose is to qualify
16 him as an expert in Asiatic diplomatic affairs, and
17 we hope to show some of the background in laying the
18 groundwork, as I say, for the Pacific phase which will
19 come later.

20 THE PRESIDENT: Is there any recognized
21 Japanese historian in respect of those events over
22 that period?

23 MR. BLEWETT: Sir, as this witness implied,
24 this genesis of the Pacific is the history from ear-
25 liest times, around from 1900 down to the Pacific War,

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1 showing the reasons and the changes in Japanese life
2 during all that period of time.

3 THE PRESIDENT: But he hasn't written any
4 standard work. He is merely trying to qualify as an
5 historian.

6 MR. BLEWETT: Sir, he has published three
7 books, one in English which is of widespread circula-
8 tion, and he is now at work revising it with the hope
9 that it may be published in America and Europe.

10 THE PRESIDENT: Is he acknowledged as an his-
11 torian, that is all I want to know, by the Japanese
12 people?

13 MR. BLEWETT: He was produced, sir, by the
14 Japanese counsel as an expert on the history and the
15 diplomacy of the Far East.

16 THE PRESIDENT: If the prosecution questions
17 his qualifications, they are at liberty to cross-
18 examine him forthwith.

19 Mr. Comyns Carr.
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CROSS - EXAMINATION

1
2 BY MR. COMYNS CARR:

3 Q Dr. TAMURA, since you left the Foreign Office
4 in 1925, have you followed any profession?

5 A While continuing my researches, I contributed
6 frequently to magazines and newspapers as a publicist
7 and also for over ten years was an editorial adviser
8 to the magazine "Diplomatic Review," besides conducting
9 my studies. I was given the degree Doctor of Law from
10 the Tokyo Imperial University for my work on the -- for
11 my book on the diplomatic history of the Far East.

12 Q When was that published?

13 A I published three volumes altogether between
14 1934 and 1939.

15 Q Did those include the book in English that
16 we have heard about?

17 A Not, it was not included among those.

18 Q When was that published?

19 A I believe it was in 1943.

20 Q Did you publish that yourself or did the
21 Japanese Government assist you to publish it?

22 A There was at the time an association known as
23 the Taiheiyo Association or the Pacific Association, and
24 this association published this book.

25 Q Was it used during the war for propaganda

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purposes?

1 A As author, I know nothing about that.

2 Q And when did you take your degree that you
3 have spoken of from the Tokyo University?

4 A It was in 1940.

5 MR. COMYNS CARR: Your Honor, I submit that
6 those answers do not qualify him to speak either as
7 an expert on diplomacy from experience or as a person
8 stating facts which can be accepted without examination
9 or question.

10 THE PRESIDENT: Well, his claim may be slender
11 but it may be sufficient.

12 The original ruling stands. We will hear him
13 on facts but we won't accept his opinions. That is a
14 majority decision.

15 MR. COMYNS CARR: Your Honor, accepting, of
16 course, the ruling of the Tribunal, we would neverthe-
17 less like to submit that statements of fact by him are
18 not necessarily to be accepted as true unless it is
19 shown that he either knows them of his own knowledge
20 or produces the sources of them.

21 THE PRESIDENT: Their probative value will, of
22 course, depend upon that.

23 MR. BLEWETT: Sir, the witness was prepared
24 for questioning on the basis of an expert. I should
25

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1 like the privilege to recall him--or to remove him
2 at the present time with the privilege of recalling
3 him later if expedient to do so.

4 I should have made clear, your Honor, that
5 our interrogatories were prepared, not the witness;
6 our questions were prepared along the line of an
7 expert.

8 THE PRESIDENT: He will stand down for the
9 time being.

10 MR. BLEWETT: Thank you, sir.

11 I have the honor to present to the Tribunal,
12 Samuel A. Roberts, Esq., of the Bar of the City of
13 New York, American counsel for the accused OKA, who
14 will present the next portion of this subdivision with
15 Mr. SAKUMA, counsel for Mr. SHIRATORI.

16 THE PRESIDENT: The witness will stand down,
17 I said.

18 (Whereupon, the witness was excused.)

19 THE PRESIDENT: Mr. Roberts.

20 MR. ROBERTS: We now present evidence to
21 explain the origin and true meaning of the phrase
22 "hakko ichiu" and its interpretation by the accused
23 and the Japanese nation, in order to refute the
24 characterization placed upon it by the prosecution.

25 We call the witness INOUE, Takamaro.

INOUE

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1 T A K A M A R O I N O U E, called as a witness
2 on behalf of the defense, being first duly
3 sworn, testified through Japanese interpreters
4 as follows:

5 DIRECT EXAMINATION

6 BY MR. ROBERTS:

7 Q What is your occupation?

8 A I have no occupation -- I have no profession.
9 However, at present I am continuing my research
10 of the constitutional history of Japan.

11 Q Will you please give us your background,
12 briefly?

13 A By that do you mean my personal history?

14 Q Yes, briefly.

15 A I was born in Hirado, of Nagasaki Prefecture,
16 and in 1917 I graduated from the law college of
17 Tokyo Imperial University. I then entered into the
18 graduate institute of that university, and continued
19 my study of the constitution and of administrative law,
20 subsequently becoming an assistant at that university.
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1 THE PRESIDENT: Some of us did not hear
2 what his name is.

3 THE WITNESS: My name is INOUE, Takamaro.

4 After resigning as assistant at the Tokyo
5 Imperial University I became a professor at Hosei
6 University.

7 Q Thereafter what occupation did you have?

8 A Subsequently in 1926 I was ordered to do
9 research work in various countries in Europe and
10 America in order to study their respective constitu-
11 tions.

12 Q Thereafter what position did you assume?

13 A In 1928 I was appointed professor at the
14 Taihoku Imperial University and assumed the chair of the
15 constitution. I remained at this post until the end
16 of 1940 -- until the end of 1935. In January of the
17 following year I was appointed a research worker in
18 the National Spiritual-Cultural Research Institute.
19 Subsequently by an administrative change the name of
20 this institute was changed to the "Institute for
21 Research in Culture and Education," and I became a
22 research worker at that institute. I retired from that
23 post in July 1944 and since then have been living as a
24 retired man although continuing my study of constitu-
25 tional law.

INOUE

DIRECT

1 Q Have you engaged in research work in any
2 other subject or subjects?

3 A My direct object of study was the Imperial
4 constitution, that is, the constitution that is in
5 force at present; but since this constitution was not
6 a revolutionary one formed by a complete breakage
7 with old traditions it is a constitution that has put
8 into writing unwritten laws which have existed from
9 the time of the founding of our empire. Therefore,
10 in order to study the constitution itself I had to
11 study the unwritten laws which formed a kind of un-
12 written constitution which has been handed down to
13 us from time immemorial and, therefore, I had to study
14 the old customs and the old traditions of our empire.
15 Besides this I conducted a comparative analysis of the
16 constitutions of European and American countries as
17 well as of China -- of Europe, America and China. The
18 reason for this -- for my making this comparative
19 analysis was that the Japanese constitution was not
20 merely a constitution that put into writing the former
21 unwritten laws of our country. It took up many -- it
22 embodied many of the good points of the modern
23 democracies of Europe and America and of constitutional
24 government.

25 Q Does it also embody the history of Japan?

INOUE

DIRECT

1 A That goes without saying.

2 Q Are you familiar with the expression
3 "hakko ichiu"?

4 A Yes, I am familiar with that expression.

5 Q When did it originate?

6 A I believe that the expression, that the
7 phrase "hakko ichiu" itself, is of comparatively
8 recent origin, but the ideals connected with this
9 expression go back a long way. There is a history
10 known as the "Nihon Shoki" or the -- there is a
11 book known as the "Nihon Shoki" which is a history of
12 ancient Japan and in this book an Imperial Rescript
13 by the Emperor JIMMU is quoted. In this Imperial
14 Rescript we find the words, "Let us cover the universe
15 and make it our home."

16 Q What is the approximate date of the Rescript
17 that you refer to?

18 A According to Western count it is related that
19 it was written, that it was promulgated about the
20 middle of the seventh century, B.C.

21 Q Will you please tell us its connotation or
22 meaning?

23 A Before I go on to the meaning there is one
24 point which I forgot to mention. This expression,
25 "hakko ichiu" is a contraction of the old Yamato

INOUE

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1 phraseology, "Amenoshita-o-oite-iyeto-nasu." There
2 have been some scholars who have argued that "hakko
3 ichiu" is not a good translation of this ancient
4 word and that it should rather be translated "hakko
5 yuu"; but, be that as it may, the wording itself is
6 not of such great importance. It is the meaning
7 that they contain.

INOUE

DIRECT

1 Q Was the word borrowed from any other language
2 or peoples?

3 A Before replying to that question may I reply
4 to your previous question, as I have not yet replied
5 in any great detail to that question?

6 Q You may do so.

7 A That is concerning the meaning of this
8 expression. "Hakko" means the universe; "ishiu"
9 means house. That is the meaning of the term itself.
10 I shall next go on to the meaning of the phrase as a
11 whole. It is the expression of the desire and ideal
12 of constructing a world in which all men would be
13 brothers and would have toward each other brotherly
14 love. Does that answer your question regarding the
15 meaning of the words?

16 Q Yes. Will you please tell us the history
17 and development of the word and the phrase?

18 A May I leave out my answer to your previous
19 questions, then, concerning the various foreign coun-
20 tries?

21 Q No, I would like for you to tell us from
22 what language or peoples the word has been borrowed.

23 THE PRESIDENT: Mr. Tavenner.

24 MR. TAVENNER: If your Honor please, it seems
25 there should be some limit to this type of examination.

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1 The origin of the phrase or from what country the
2 phrase was taken surely can have no bearing upon
3 issues involved here, and we object.

4 THE PRESIDENT: The meaning of words and
5 phrases is generally taken from standard dictionaries
6 of the particular country. This man has not yet
7 quoted a dictionary, nor is he a lexicographer. His
8 claim to be a historian is a very faint one; his
9 claim to be a constitutional lawyer is a considerable
10 one, but constitutions are instruments of government.
11 Now, let this man tell us, if he can, what dictionaries
12 he refers to; let him produce the dictionaries; what
13 histories; let him produce the histories. The prose-
14 cution are not objecting to his giving evidence, but
15 only to the range of evidence. Let him produce his
16 dictionaries and his histories. That will shorten
17 the evidence and be more convincing if it is important.

18 MR. ROBERTS: If it please the Court, the
19 witness has stated that in order to study and under-
20 stand the constitution it was necessary for him to
21 study Japanese history.

22 THE PRESIDENT: Let him produce a Japanese
23 constitutional history or a book on Japanese consti-
24 tutional law where the phrase is dealt with. Let him
25 produce a dictionary where the phrase is defined. And

INOUE

DIRECT

1 we do not forget that the material thing is not
2 what the actual meaning was, but what meaning the
3 accused or some of them may have attempted to give
4 it.

5 MR. ROBERTS: May I suggest, then, that
6 the Court accept his testimony subject to connec-
7 tion for the purpose that you have expressed. This
8 testimony is simply a foundation for the explanation
9 of the use of that word by the accused and other
10 government officials.

11 THE PRESIDENT: Let him produce his authority,
12 as all experts are required to do; that will shorten
13 the evidence. We do not wish to sit here for hours
14 listening to this man talking all around the compass
15 without coming to an authority.

16 BY MR. ROBERTS (Continuing):

17 Q Mr. Witness, will you tell us the authority
18 that you have and the authorities that you have
19 studied concerning your definition of the expression
20 "hakko ichiu"?

21 A This question is an almost self-evident
22 question to Japanese, and I do not believe it is
23 necessary to state specifically what book -- in
24 what book one will find such an expression because
25 it is found almost in every book, and it is a matter

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1 which belongs to the domain of common sense for us
2 Japanese.

3 THE PRESIDENT: That is most unconvincing.
4 You will still produce your authorities, if you have
5 them. Your dictionaries should cover the term.

6 THE WITNESS: I do not have the dictionary
7 here now, but it can be presented at any time.

8 THE PRESIDENT: If it has any historical
9 significance your history should deal with it. It
10 can hardly be a part of any instrument of government
11 such as a constitution.

12 MR. ROBERTS: I believe the witness has
13 tried to make clear that in studying the constitu-
14 tion it was necessary to study Japanese law, and
15 thereby he became familiar with the expression
16 "hakko ichiu" and its meaning and use.

17 THE PRESIDENT: **Not** Japanese law. He said
18 Japanese history. Let him produce the history.
19 In other words, let him show us the history he
20 studied.

21 Q Can you tell us, Mr. Witness, the history
22 that you have studied in order to become familiar
23 with the meaning and use of the phrase "hakko ichiu"?
24

25 A I did not gain my knowledge from one book
alone but from many books which I studied over a

INOUE

DIRECT

1 long period of time. If it should be necessary I
2 can present these at any time.

3 THE PRESIDENT: Two or three leading
4 histories dealing with the meaning of the word may
5 be very convincing; so, also, two or three recognized
6 Japanese dictionaries.

7 THE WITNESS: I understand well.

8 MR. ROBERTS: We have no doubt that the
9 word is contained and defined in Japanese history
10 books and also in dictionaries, but we are attempting
11 to save the time of the Court in not presenting all
12 this voluminous -- these voluminous documents.

13 THE PRESIDENT: Probably the whole subject
14 could be dealt with in two or three pages of the
15 history or one page of a dictionary.

16 MR. ROBERTS: I have no doubt of that,
17 but your Honor understands that this is simply a
18 foundation for later questions.
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1 THE PRESIDENT: You may be stating the
2 fact, but it is very difficult for us to see why
3 you cannot now grip our interest by producing a
4 history or a dictionary.

5 MR. ROBERTS: We offer in evidence at this
6 time --

7 THE PRESIDENT: I suggest that you with-
8 draw your witness and prepare him to deal with the
9 matter in accordance with the wishes of the Tribunal,
10 that is, on the basis of histories which he will
11 quote and dictionaries which he will quote, and, if
12 there be such things, constitutional histories deal-
13 ing with the phrase. He can stand down as the last
14 witness did.

15 MR. ROBERTS: First, if it please the
16 Tribunal, I may be able to save time by introducing
17 at this time a document which will explain the
18 derivation and meaning of the phrase "hakko ichiu"
19 according to the interpretation of a scholar who
20 holds a chair of Chinese Classics at Waseda
21 University. I ask for defense document 2322.

22 THE PRESIDENT: That may be just as objec-
23 tionable as this witness' efforts. We want standard
24 works, dictionaries or histories or constitutional
25 histories.

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1 MR. ROBERTS: This document, if the Court
2 please, cites the authorities for the information
3 contained therein.

4 THE PRESIDENT: If it correctly does so
5 it should have some value.

6 MR. ROBERTS: I offer in evidence defense
7 document 198 for that purpose.

8 THE PRESIDENT: Mr. Tavenner.

9 MR. TAVENNER: If it please your Honor,
10 this document seems to be an affidavit, and the
11 jurat shows that it was signed on December 16 in
12 Tokyo. It would appear that such an affidavit
13 could not be presented through this witness, but
14 that the man who made it should appear here and
15 give his testimony.

16 THE PRESIDENT: I don't think it improves
17 the position in the least. We should have the
18 authorities. We can get them from this man. He
19 has the necessary qualifications to produce the
20 authorities.

21 Perhaps you won't press the admission of
22 this affidavit at this stage, Mr. Roberts.

23 MR. ROBERTS: I think it is relevant and
24 I think that it will help to save time once we hear
25 what is contained in the affidavit.

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1 THE PRESIDENT: You are not intending to
2 put it in through this witness, are you?

3 MR. ROBERTS: No, I do not.

4 THE PRESIDENT: You agree that he should
5 stand down?

6 MR. ROBERTS: Not at this time, if the
7 Court will so please. I would like to read the
8 affidavit and then question the witness as to his
9 source and the sources mentioned in this affidavit.
10 The reason I say that --

11 THE PRESIDENT: You might do that if this
12 was an affidavit already tendered by the prosecution.

13 MR. ROBERTS: The reason I say that is because
14 this refers to an authentic record of Japanese history
15 and it may be the same source that this witness can
16 refer to and state that he has read and is quoting
17 from.

18 THE PRESIDENT: Obviously this affidavit you
19 are tendering now cannot be used in that way. The
20 objection is upheld. Why not ask this man what his
21 authorities are?

22 BY MR. ROBERTS (Continued):

23 Q Mr. Witness, what are your authorities for
24 the information you have given on the meaning of
25 "hakko ichiu"?

INOUE

DIRECT

1 A The original document is the "Nihon Shoki."

2 Q And can you tell us about how far back
3 that document extends?

4 A I believe this book was completed around
5 the year 720 A. D. The work on this history was
6 begun several years before that, but it was completed
7 around the year 720 A. D.

8 Q Is it an authentic record of Japanese history?

9 A Yes. It is a book that was authentically
10 published -- authentically compiled.

11 Q And is it the source of your authority
12 and your definitions?

13 A Yes.

14 THE PRESIDENT: I think we are all agreed
15 that the question is not so much the meaning that
16 it may have been given in authorities but the meaning
17 that it was given by the accused or some of them;
18 but let us hear the authorities at reasonable length.
19 BY MR. ROBERTS (Continued):

20 Q Will you give us a further list of authori-
21 ties that you have consulted?

22 A There are various books which have inter-
23 preted the "Nihon Shoki" -- there are various com-
24 mentaries on the "Nihon Shoki".

25 Q Can you tell us the names, please?

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1 A There is a book by -- among the older
2 commentaries by IIDA, Bukyo, called "The Inter-
3 pretation of the 'Nihon Shoki'".

4 Q Any others?

5 A There is a book on the 'Nihon Shoki' by
6 SAIKI, Yogi.

7 THE PRESIDENT: We will recess for fifteen
8 minutes.

9 (Whereupon, at 1445, a recess was
10 taken until 1500, after which the pro-
11 ceedings were resumed as follows:)

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1 THE PRESIDENT: Mr. Roberts.

2 DIRECT EXAMINATION

3 BY MR. ROBERTS (Continued):

4 Q Will you continue giving us the list of books
5 that you have consulted as your authority?6 THE PRESIDENT: It will not impress us very
7 much if he gives a long list of authorities and just says
8 what they mean. Let him quote from one or two leading
9 authorities.

10 MR. ROBERTS: I withdraw the last question then.

11 Q Mr. Witness, can you tell us what you consider
12 the leading authority in Japan on the phrase that you have
13 defined?14 A The books that I listed before the recess are
15 books which I consider to be authoritative on this subject.16 Q I ask you about your reference to the Nihon
17 Shoki. Is that considered a leading authority in Japanese
18 history?

19 A Yes.

20 Q Can you quote a definition from that authority
21 on the meaning of the phrase "hakko ichiu"?

22 A Yes.

23 Q Will you do so, please.

24 THE PRESIDENT: Edition, volume and page;
25 produce it for identification.

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1 THE PRESIDENT: Mr. Roberts.

2 DIRECT EXAMINATION

3 BY MR. ROBERTS (Continued):

4 Q Will you continue giving us the list of books
5 that you have consulted as your authority?6 THE PRESIDENT: It will not impress us very
7 much if he gives a long list of authorities and just says
8 what they mean. Let him quote from one or two leading
9 authorities.

10 MR. ROBERTS: I withdraw the last question then.

11 Q Mr. Witness, can you tell us what you consider
12 the leading authority in Japan on the phrase that you have
13 defined?14 A The books that I listed before the recess are
15 books which I consider to be authoritative on this subject.16 Q I ask you about your reference to the Nihon
17 Shoki. Is that considered a leading authority in Japanese
18 history?

19 A Yes.

20 Q Can you quote a definition from that authority
21 on the meaning of the phrase "hakko ichiu"?

22 A Yes.

23 Q Will you do so, please.

24 THE PRESIDENT: Edition, volume and page;
25 produce it for identification.

INOUE

DIRECT

1 MR. TAVENNER: Your Honor, I think that another
2 preliminary question should also be asked in regard to
3 the authority, and that is the date of its publication

4 THE PRESIDENT: That will appear on the book
5 when it is produced, I take it; but what is the date?

6 MR. ROBERTS: I believe the witness has already
7 stated the date of publication.

8 BY MR. ROBERTS (Continued):

9 Q Mr. Witness, will you give us again the date
10 of the publication of the history you refer to as Nihon
11 Shoki?

12 A 720 A.D.

13 Q Is that history in use up to the present time?

14 THE PRESIDENT: It is not the history, it is
15 the date of the promulgation or the statement we have
16 to consider.

17 MR. TAVENNER: Your Honor, pardon the interruption.

18 If your Honor please, I understood the witness
19 to say the date of the history was 720 A.D.

20 THE PRESIDENT: Wasn't it B.C.? It doesn't
21 matter much.

22 MR. TAVENNER: I desire to object to a definition
23 in 720 A.D. as being a correct interpretation of the
24 use of a phrase in 1940.

25 MR. ROBERTS: I believe the witness should be

INOUE

DIRECT

1 permitted the opportunity to make clear his statement.

2 THE PRESIDENT: It may be the meaning has been
3 constant up to modern times.

4 BY MR. ROBERTS (Continued):

5 Q Has the meaning been constant up to the present
6 time, Mr. Witness?

7 A As you say.

8 THE PRESIDENT: Well, do produce this book
9 that he studied at the university showing the meaning
10 of this phrase and shorten the proceedings. You are
11 going to give us everything but the books. Give us the
12 books. We all want them. We insist on them; not all
13 of them, but two or three of the leading authorities.

14 MR. ROBERTS: It was our impression that the
15 proof could be presented in oral fashion as well as by
16 the use of books. It seems to be a phrase which has
17 been in use in Japan for many years and anyone having
18 studied its history in any connection should almost be
19 an authority upon it. However, if the Court insists
20 on having the book here, we shall have the witness ex-
21 cused for the time being until we can obtain the book.

22 THE PRESIDENT: The attitude on this question
23 of the defense is causing us some concern. It is by no
24 means impressive. These things must be learned from
25 books. Produce the books; that is all we are asking.

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DIRECT

1 MR. LOGAN: If the Tribunal please, may I
2 say a word, if the Court please. With respect to our
3 method of procedure here, we deem it just as proper
4 to produce expert witnesses who have made a study of
5 these subjects to testify orally.

6 THE PRESIDENT: And we will allow him to do so
7 despite an objection by the prosecution.

8 MR. LOGAN: In proceeding in this manner, if
9 anything any of these witnesses say is contrary to any
10 facts as known by the prosecution by means of any books,
11 they can bring that out on cross-examination.

12 THE PRESIDENT: It is only fair to the defense,
13 Mr. Logan, that you should know just what the Tribunal
14 requires.

15 MR. LOGAN: I appreciate that, your Honor. We
16 will try to comply with it. I was just trying to explain
17 our position; why we were proceeding the way we were
18 doing. But, with respect to this particular phrase,
19 it is my understanding it cannot be found in any Japanese
20 dictionary. It is a custom. It is something that has
21 grown up with the Japanese and their history and the
22 word itself, I understand, has gone through various
23 gyrations but the true meaning behind it has been
24 constant through all these years. It isn't something
25 that was incorporated, or enacted, or brought about by

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1 these accused. That we intend to show is its meaning
2 has remained constant and was so used, and intended
3 to be so used by these accused and we thought this
4 was a proper way of doing it.
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1 THE PRESIDENT: This is the first time that
2 we have heard that that expression is not to be found
3 in recognized works.

4 MR. LOGAN: I said, your Honor, dictionary;
5 not recognized works.

6 THE PRESIDENT: We haven't confined you to
7 dictionaries, Mr. Logan.

8 MR. LOGAN: I appreciate that, but your
9 Honor mentioned a dictionary. I was just calling to
10 your attention that it isn't to be found in a diction-
11 ary. It has been interpreted in various recognized
12 works and this man is an expert and he is giving the
13 result of his years of experience with reference to
14 the meaning of the words.

15 THE PRESIDENT: I mentioned dictionaries,
16 histories, constitutional histories in that order.
17 Now it isn't something that has been handed down from
18 generation to generation by word of mouth only and
19 never reduced to print. Do let us see the thing
20 dealt with in some book.

21 MR. LOGAN: I appreciate that, your Honor.
22 We will try to do that. But I was just mentioning
23 our method of presenting the proof. We thought this
24 would be the proper way of doing it, by presenting
25 a witness who has really studied the subject and knows

INOUE

DIRECT

1 it, but if you want the books we will get the books.

2 MR. ROBERTS: We, of course, ask leave to
3 recall this witness at the time the books are produced
4 in Court.

5 THE PRESIDENT: Well, you want to stand him
6 down. He may stand down and be recalled again and
7 be prepared to speak from authorities.

8 MR. ROBERTS: That will be satisfactory.

9 THE PRESIDENT: He is released on the usual
10 terms.

11 (Whereupon, the witness was excused)

12
13 MR. ROBERTS: We now offer evidence through
14 witnesses and documents concerning the formation of the
15 Greater East Asia Co-Prosperity Sphere showing that
16 the Greater East Asia Conference was promoted by
17 countries other than Japan and that the attendance
18 of legal representatives of other countries was wholly
19 voluntary on their part.

20 We call the witness YAMAMOTO Kumaichi.
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1 K U M A I C H I Y A M A M O T O, called as a
2 witness on behalf of the defense, being
3 first duly sworn, testified through Japanese
4 interpreters as follows:

DIRECT EXAMINATION

BY MR. ROBERTS:

Q What is your occupation?

A I am without occupation.

9 Q Do that mean that you are retired at the
10 present time?

A Yes.

Q Since when have you been retired?

A July, 1946.

Q What was your occupation prior to July, 1946?

15 A In June 1944 I was appointed envoy extra-
16 ordinary and ambassadoreplenipotentiary and was
17 stationed in Thailand.

18 THE INTERPRETER: Correction: August
19 1944.

Q Were you previously in government service?

21 A I was an official in the Foreign Office for
22 twenty-six years.

23 Q Please state the various positions you have
24 held with the government and the dates thereof.

25 A In 1920 I became a clerk in the Foreign

YAMAMOTO

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1 Office. In 1926 I was appointed secretary of the
2 embassy in Turkey. I returned to the Foreign Office
3 subsequently and in 1930 was appointed secretary in
4 the embassy at London. In 1934 I was transferred to
5 the embassy in Manchuria -- in Manchukuo.

6 THE MONITOR: As a secretary.

7 A (Continued) In 1938 I became a secretary
8 in the Foreign Office. In 1939 I became the director
9 of the Commerce Bureau of the Foreign Office. In
10 1940 I became director of the East Asia Bureau of
11 the Foreign Office. In 1941 I became concurrently
12 director of the American Bureau of the Foreign Office.
13 In 1942 I became Foreign Vice-Minister. In November
14 1942 I became Vice-Minister for Greater East Asiatic
15 Affairs. And in 1944 I was appointed ambassadore
16 to Thailand.

17 THE INTERPRETER: I became Vice-Minister
18 of the Greater East Asia Affairs Ministry.

19 Q What were your duties as Vice-Minister of
20 the Greater East Asia Affairs Ministry?

21 A I was in charge of relations with the various
22 countries of Greater East Asia other than purely
23 diplomatic relations; that is to say, political,
24 economic and cultural relations.

25 Q Were you familiar with the circumstances

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1 concerning the organization of the Greater East Asia
2 Conference which was held in November, 1943?

3 A As I was in charge of the business connected
4 with the holding of that Conference in my capacity of
5 Vice-Minister of Greater East Asia Affairs, I am well
6 acquainted with the events leading up to the conference.

7 Q When, for the first time, was this conference
8 discussed?

9 A In 1943 Premier TOJO made a tour of the
10 southern regions. I accompanied him on this tour.
11 At the time, both Premier TOJO and myself felt strong-
12 ly that one of the most important things in establish-
13 ing a new order in East Asia would be to give the
14 peoples of Greater East Asia an opportunity to freely
15 exchange their opinions and thus to strengthen the
16 cooperation among them. I recollect that the same
17 opinions were voiced by the leaders and representa-
18 tives of the various peoples of Greater East Asia with
19 whom I came in contact during that tour. I believe that
20 that was the direct reason for the calling of the
21 Greater East Asia Conference.

22 Q What countries did you visit on your tour?

23 A I visited the Philippines, Thailand, Malaya,
24 Sumatra, Java and Borneo.

25 Q To whom did you speak in the Philippines?

YAMAMOTO

DIRECT

1 A I recollect that I met, first of all, Dr.
2 Laurel, Mr. Recto, Mr. Vargas, Mr. Aquino -- and Mr.
3 Aquino, who were the leading representatives of the
4 Philippine people at the time.

5 Q Did you at that time discuss the idea of a
6 common meeting?

7 A There was a free interchange of opinions
8 between the Japanese and Philippine representatives.
9 I remember that Dr. Laurel said that it would be de-
10 sirable that some means be worked out for insuring
11 a direct liaison between their side and Central Japan-
12 ese authorities in Tokyo.

13 Q Will you tell us the respective offices
14 held by the men's names that you mentioned?

15 A I believe that these people were members of
16 the Preparatory Committee for Independence which was
17 functioning at that time.

18 Q Do you recall their respective titles?

19 A I am sorry, I don't remember.

20 Q To whom did you speak in Thailand on this
21 visit in July, 1943?

22 A I had frequent opportunities of meeting the
23 Regent Prince Adit and Mr. Prasert, as well as the
24 Prime Minister, Marshal Pibul, Foreign Minister
25 Wichit and other important personages.

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1 Q Did you discuss the idea of a common meeting
2 with the Foreign Minister, Mr. Bisito?

3 A I do not recollect whether I discussed the
4 question of a conference with Foreign Minister Wichit.
5 But, however, since the Foreign Minister was also a
6 notable leader of a cultural movement in Thailand,
7 I do remember that we discussed means of strengthen-
8 ing liaison and cooperation between the two countries
9 through cultural exchanges.

10 Q Do you recall how many conferences you had
11 in Thailand?

12 A I do not remember exactly, but I did meet
13 him on several occasions at banquets, and so forth,
14 besides the formal confersations which I had with
15 him.

16 Q You are referring now to the Foreign
17 Minister, Mr. Bisito?

18 A Yes.

19 Q Did you also have occasion to see Prince
20 Wan-wai?

21 A I believe I met him on two or three occasions
22 at banquets and at other occasions.

23 Q Will you tell us what he had to say about
24 common meetings or anything else?

25 A Prince Wan-wai was the senior -- was a leader

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1 in diplomatic circles in Thailand. I remember that
2 he said that, in order to increase cooperation be-
3 tween the two countries, opportunities should be had
4 for a free interchange of opinions.

5 Q I believe you mentioned the name of a third
6 person. May I have that name again, please?

7 A That is Prime Minister Pibul.

8 Q On how many occasions would you say you
9 spoke to the Prime Minister?

10 A I believe I was able to see him -- I was
11 able to talk to him on two or three occasions.

12 Q Will you tell us what he said, please?

13 A I recall that the Prime Minister also
14 stressed that, in order to have closer ties between
15 Japan and Thailand, it was necessary that each side
16 take not an attitude of pushing things onto each
17 other but of a close and intimate exchange of ideas.

18 Q Did these men freely voice their opinions to
19 you and Mr. TOJO?

20 A I can still see in my mind's eye those people
21 freely expressing their opinions to us in a most
22 friendly manner.

23 Q Did they also express their opinions on any
24 questions which were opposed to the opinions of Mr.
25 TOJO and yourself?

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1 A There were no basic differences in opinion.
2 However, on details of proposed cultural exchanges,
3 of the time when these proposed exchanges were to be
4 held, and so forth, I believe there were small dif-
5 ferences of opinion.

6 Q Did you visit the representatives of Burma
7 on your trip in July, 1943?

8 A I remember that in Singapore we met Mr.
9 Ba-Mo of Burma who came there -- who flew there from
10 Burma mainly for the purpose of sneaking to TOJO --
11 mainly for the purpose of seeing TOJO.

12 Q So that he came all the way from Burma to
13 Singapore to see yourself and Mr. TOJO?

14 A Yes.

15 Q What did Mr. Ba-Mo say at the time?

16 A Premier TOJO told me of the conversation he
17 had with Ba-Mo directly after that conversation. It
18 seems that in the beginning, after reporting on con-
19 ditions in Burma, Ba-Mo expressed his dissatisfaction
20 at the way the Japanese Army was handling the occupa-
21 tion of Burma, at great length.

22 Q Was anything done about this objection at
23 the time?

24 A The Prime Minister frankly accepted what
25 Ba-Mo had to say and telling him that he, himself,

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1 would give strict instructions to the authorities --
2 to the Japanese authorities on the spot, urged Mr.
3 Ba-Mo to continue to redouble his efforts with un-
4 abated enthusiasm for the independence of Burma.

5 Q What instructions are you referring to?

6 A Premier TOJO made it a practice to give in-
7 structions to Japanese Army authorities on the spot
8 wherever he happened to stop in the course of his
9 tour; and in these instructions he would tell them to
10 respect the opinion of the natives and to take a true,
11 fatherly attitude toward them. In his instructions to
12 the Japanese Army authorities in Burma he took up many
13 suggestions which Ba-Mo had made and gave them similar
14 instructions.

15 Q Was anything said at this time about a common
16 meeting of all the Asiatic countries?

17 A Ba-Mo, because he was so very dissatisfied
18 with the actions of the Japanese Army in Burma, was
19 all the more anxious to have direct contact with
20 Central Japanese authorities, and also urged the need
21 for stronger and friendlier relations with neighbor-
22 ing peoples; for instance, Thailand.

23 Q What was the official title held by Mr.
24 Ba-Mo at that time?

25 A I do not remember very well. However, I do

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1 recollect that he was the head of some kind of organi-
2 zation set up to prepare for independence.

3 Q Did you ever discuss the idea of a common
4 meeting with a representative of China?

5 A I do not remember having talked with Chinese
6 on any concrete measures to be taken in this connect-
7 ion. However, I do remember that in 1940, when Wan
8 Ching-wei came to Japan, I headed the welcome committee,
9 and in this capacity I talked with him on the desira-
10 bility of such a conference.

11 Q What did he have to say?

12 A His idea was that Asiatic peoples must
13 cooperate with each other in order that they may
14 enjoy a common prosperity. He was firmly convinced
15 that Japan and China must stop their hostile rela-
16 tionship and must work out a common basis on which to
17 establish a mutual prosperity.

18 Q Coming now down to the actual conference,
19 were you present at all the meetings of the conference?

20 A Yes, I was present at all these conferences.
21 However, I did not attend the meetings of the Secre-
22 tariat.

23 Q Were you present at the conference at the
24 time speeches were delivered by the delegates?
25

A Yes.

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1 Q Did all the delegates speak from prepared
2 addresses -- I mean prepared in advance?

3 A Not necessarily.

4 Q Can you tell us specifically who did and who
5 did not, if you know?

6 A Dr. Laurel, Mr. Ba-Mo, and Mr. Chandra Bose
7 spoke very freely and very frankly without any pre-
8 pared text.

9 Q Were you also present when the joint declara-
10 tion was adopted?

11 A Yes.

12 Q Was there any discussion before the declara-
13 tion was adopted?

14 A Concerning the purport of this declaration,
15 at the first meeting of this conference held on the
16 5th of November, the delegates from each country spoke
17 earnestly and most freely on this question.

18 Q Do you recall any of the meetings of the
19 representatives concerning the wording in the pro-
20 posed declaration?

21 A In general, concerning the general drift of
22 the declaration, announcements -- notifications had
23 already been sent privately to the various countries
24 concerned and their opinions asked for. But I re-
25 member that on November 3 a meeting of the Secretariat

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1 was held previous to the actual conference itself,
2 and at this meeting the various desires expressed by
3 the various countries were taken in to a certain ex-
4 tent, and the wording was somewhat changed.

5 Q And at the time of the adoption of the
6 principles on November 6, was there likewise a dis-
7 cussion?

8 A Since this matter had been very thoroughly
9 discussed in previous meetings, I do not believe there
10 was much discussion on the question of the resolution
11 itself on the day it was adopted.

12 THE PRESIDENT: We will adjourn until half-
13 past nine tomorrow morning.

14 (Whereupon, at 1600, an adjourn-
15 ment was taken until Friday, 7 March 1947,
16 at 0930.)
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